

**ON THE PROPOSED USE OF THE PLENARY POWERS TO
SECURE THAT THE TRIVIAL NAME "PHILOMELOS"
BREHM, 1831 (AS PUBLISHED IN THE BINOMINAL COM-
BINATION "TURDUS PHILOMELOS") SHALL BE OLDEST
AVAILABLE NAME FOR THE SONG THRUSH**

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(Commission's reference Z.N.(S.)493)

1. The application submitted by the Standing Committee on Ornithological Nomenclature of the International Ornithological Congress is concerned to secure that the trivial name *philomelos* Brehm, 1831 (as published in the binominal combination *Turdus philomelos*) shall become the undisputed oldest available trivial name for the Song Thrush. For this purpose it will be necessary to remove the competition of the older trivial name *ericetorum* Turton, 1807 (as published in the binominal combination *Turdus ericetorum*), a name which by some specialists has been identified as a senior subjective synonym of the trivial name *philomelos* Brehm, but by others is regarded as a *nomen dubium*.

2. Prior to the Thirteenth International Congress of Zoology held in Paris in 1948, the provisions in the *Règles* relating to the method to be followed in determining the identity of the taxonomic species with which any given nominal species should be identified were of the most primitive and inadequate kind, consisting only of Article 31 which laid down the following rule: "La subdivision d'une espèce en deux ou plusieurs autres est soumise aux mêmes règles que la subdivision d'un genre." Thus, by the objectionable device of legislation by reference the Rules in Article 30, relating to the determination of the type species of a given nominal genus were applied (so far as applicable) to the determination of the type specimen of a nominal species. But the question of the trivial name to be applied to a given taxonomic species may sometimes depend (as in the case now submitted by the Standing Committee on Ornithological Nomenclature) upon an entirely different question, namely the procedure to be followed when there is a trivial name which all are agreed is applicable to the species in question but there is also an older trivial name which by some authors is regarded as being applicable to that species but by others as referring to some other known species or as being indeterminable. On this subject Article 31 was entirely silent.

3. During the revision of the *Règles* in Paris in 1948 particular attention was given to the need for substituting a clear and comprehensive set of rules in place of the totally inadequate provisions of the existing Article 31. This subject was discussed at length at the Fourth Public Meeting held by the International Commission on Zoological Nomenclature during its Paris Session, when detailed proposals (subsequently approved by the Congress) were drawn up for an Article to replace the previous Article 31 (see 1950, *Bull. zool. Nomencl.* 4: 73-76). These new rules deal specifically with both aspects of the question involved: first the new rules provide expressly for the procedure to be followed in determining the lectotype of any given nominal species (or, in default of an actual lectotype, the single figure, illustration or previously published

description cited in the original description of the nominal species concerned, to represent the lectotype of that species); second, the new rules lay it down that "where some but not all specialists claim to be able to recognise the taxonomic species represented by the nominal species in question or where there is disagreement among specialists as to the taxonomic species so to be recognised, the question at issue is to be referred to the International Commission on Zoological Nomenclature for decision."

4. The present application falls to be dealt with under the provision quoted above. Under that provision, it is possible for the International Commission, according to the circumstances of the case, to put a stop to confusion, either (1) by prescribing the taxonomic species to which the disputed trivial name is to be held to be applicable, or (2) by using its plenary powers to suppress the trivial name in question. The second of these courses is that which the Standing Committee on Ornithological Nomenclature has asked the International Commission to adopt in the present instance. Accordingly, if the Commission approve the application submitted to it, it will be necessary for the Commission :—

- (1) to declare the specific name *Turdus ericetorum* Turton, 1807, to be a *nomen dubium*, and to use its plenary powers to suppress the trivial name *ericetorum* Turton, 1807 (as published in the binominal combination *Turdus ericetorum*) for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (2) to place the trivial name *philomelos* Brehm, 1831 (as published in the binominal combination *Turdus philomelos*) on the *Official List of Specific Trivial Names in Zoology* ;
- (3) to place the trivial name *ericetorum* Turton, 1807 (as published in the binominal combination *Turdus ericetorum*), as proposed, under (1) above, to be suppressed under the plenary powers for the purposes of the Law of Priority but not for those of the Law of Homonymy, on the *Official Index of Rejected and Invalid Specific Trivial Names in Zoology*.